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12/28/2009

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

IN RE: THOMAS C. BROWN

CASE NO. 09-50070

**AGREED ORDER REGARDING OBJECTION TO CLAIM # 8
OF JOHN D. RAFFAELLI**

On this day came on the Debtors' Objection to the Proof of Claim of John D. Raffaelli. The Court finds that the parties have reached an agreement. Pursuant to such agreement, the Court finds:

1. The amount of pre-petition arrearage is found to be \$48,765.54. Raffaelli shall file an amended Proof of Claim in said amount.

2. The confirmed plan herein provides for payment of \$37,500.00 for pre-petition arrearage through the Plan. Said arrearage shall continue to be paid through the Plan; the remaining balance of said claim, in the amount of \$11,265.54, will remain as a secured first lien on the property which is subject to the claim; payment on said balance will remain pending and will be paid upon the sooner of 60 days following the completion of the plan term, the sale of the residence, or the death of the Debtor. Debtor may pay the full amount of said balance at any time prior to the due date without prepayment penalty of any kind.

IT IS SO ORDERED.

Signed on 12/28/2009

Brenda T. Rhoades

SR

HONORABLE BRENDA T. RHOADES,
UNITED STATES BANKRUPTCY JUDGE

AGREED AS TO FORM AND SUBSTANCE:

/s/ Rodney McDaniel

Rodney McDaniel, Attorney for Debtor

/s/ Alwin Smith

Alwin Smith, Attorney for John D. Raffaelli